

By: Kuempel

H.B. No. 2726

Substitute the following for H.B. No. 2726:

By: Lozano

C.S.H.B. No. 2726

A BILL TO BE ENTITLED

AN ACT

relating to the commencement of construction of a project following the issuance of a draft permit for a permit amendment to an air quality permit.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 382.004, Health and Safety Code, is amended to read as follows:

Sec. 382.004. CONSTRUCTION WHILE PERMIT AMENDMENT APPLICATION PENDING. (a) To the extent permissible under federal law and notwithstanding Section 382.0518, a person who submits an application for a permit amendment ~~[for a modification of or a lesser change to an existing facility under this subtitle]~~ may, at the person's own risk, begin construction related to the application after the executive director has issued a draft permit including the permit amendment ~~[the application is submitted and before the commission has issued the permit]~~.

(b) The commission may not consider construction begun under this section in determining whether to grant the permit amendment sought in the application.

(c) The commission shall adopt rules to implement this section.

SECTION 2. The changes in law made by this Act apply only to an application for a permit amendment filed with the Texas Commission on Environmental Quality on or after the effective date

1 of this Act. An application for a permit amendment filed before the  
2 effective date of this Act is governed by the law in effect on the  
3 date of filing, and that law is continued in effect for that  
4 purpose.

5 SECTION 3. This Act takes effect January 1, 2020.